

Your name: Daniel Kisliuk

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Pro se

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Division [check one]: ☐ San Francisco ☐ Oakland ☐ San Jose ☒ Eureka

Daniel Kisliuk

Plaintiff,

vs.

City of Fort Bragg, et al.

Defendant.

Case Number: 24-CV-03440-RMI

**NOTICE AND MOTION FOR LEAVE TO  
AMEND *SECOND AMENDED COMPLAINT*  
AND MEMORANDUM IN SUPPORT**

DATE: 4/24/2025

TIME: 2:30PM

COURTROOM: \_\_\_\_\_

JUDGE:

Hon. ROBERT M. ILLMAN

**I. NOTICE OF MOTION**

PLEASE TAKE NOTICE that on 4/25/2025 at 2PM at 3140 Boeing Ave., McKinleyville, CA 95519, before the Honorable Robert M. Illman, I will, and hereby do, move for an order granting this Motion ***to Amend.***

The motion will be based on this Notice and Motion, the Memorandum of Points and Authorities below, the Declaration(s) of [names of people who wrote declarations] **Daniel Kisliuk** and the [Proposed] Order.

**II. ISSUES TO BE DECIDED**

1. Whether leave to file an *Amended Complaint* should be granted.

**III. MEMORANDUM**

**A. Changes to Be Made**

Omission of claims against dismissed parties, with the exception of Neil Cervenka. Addition of evidence regarding Neil Cervenka's knowledge of prior illegal conduct by subordinate officer Thomas O'Neal, including complaint rejections for the events of November 29<sup>th</sup> of 2022 & January 5<sup>th</sup> of 2023.

**B. There is Good Cause to Amend**

Upon reviewing the Order regarding the Defendant's motions to dismiss, I realized there is further evidence that can be supplied which is relevant to the case; specifically my claims against Neil Cervenka. Without supplying this evidence, Neil Cervenka may be dismissed from liability despite the fact he did have prior knowledge of O'Neal's conduct, & I am able to supply this via documentation of prior complaint rejections, as per the requirements cited in the Order.

1 *[You must sign and date.]*

2 Respectfully submitted,

3  
4 Date: 4/25/2025

Sign Name: /s/ Daniel Kisliuk

5 Print Name: Daniel Kisliuk  
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